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Chairman: Mr. Butagira ..... (Uganda)

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05-61551 (E)

The meeting was called to order at 10.30 a.m.

Agenda item 71: Human rights questions (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/C.3/60/L.31, L.36, L.43 and L.55)

Draft resolution A/C.3/60/L.31: Globalization and its impact on the full enjoyment of all human rights

1. **The Chairman** said that the draft resolution contained no programme budget implications.

2. **Mr. Elbadri** (Egypt), speaking on behalf of the sponsors, said that lengthy negotiations had led to a number of changes in the draft resolution. In the eleventh preambular paragraph, the word "*Reaffirming*" should replace "*Welcoming* the affirmation of". The fifteenth preambular paragraph should be replaced by the following: "*Emphasizing* the global character of the migratory phenomenon, the importance of international, regional and bilateral cooperation and the need to protect human rights of migrants, particularly at a time in which migration flows have increased in the globalized economy". After the seventeenth preambular paragraph, the following additional paragraph should be inserted: "The existence of widespread extreme poverty inhibits the full and effective enjoyment of human rights; its immediate alleviation and eventual elimination must remain a high priority for the international community". After that new paragraph, the following additional preambular paragraph should be inserted: "*Strongly reiterating* the determination to ensure the timely and full realization of the development goals and objectives agreed at the major United Nations conferences and summits, including those agreed at the Millennium Summit that are described as the Millennium Development Goals, which have helped to galvanize efforts towards poverty eradication".

3. He said that, despite the efforts made to narrow the gaps between the different parties, a consensus had not been achieved on all its paragraphs. He hoped that the gaps would be narrowed further at the next session.

4. **Mr. Khane** (Secretary of the Committee) announced that Azerbaijan, Benin, Botswana, the Comoros, the Congo, Ethiopia, Lesotho, Mali, Sierra Leone, the United Republic of Tanzania and Zambia had joined the sponsors.

5. **Ms. García-Matos** (Bolivarian Republic of Venezuela), speaking in explanation of vote before the voting, said that she welcomed the explicit acknowledgement in the draft resolution that the fight against poverty took precedence over any concern about globalization. Venezuela could not co-sponsor the draft resolution, however, because it did not agree with the statements in the fourteenth preambular paragraph and in paragraph 5 that globalization offered opportunities. In addition, her country interpreted the reference in the eleventh preambular paragraph to the 2005 World Summit outcome document as an endorsement of the commitment of Governments to put globalization on a fairer basis; it was not a recognition of the Summit outcome, which had been agreed on by only some Heads of State and Government. Her delegation would vote in favour of the draft resolution as a first step towards combating the negative consequences of globalization.

6. *At the request of the delegation of the United States, a recorded vote was taken.*

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone,

Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Brazil, Chile, Iraq, Singapore.

7. *Draft resolution A/C.3/60/L.31, as orally revised, was adopted by 117 votes to 51, with 4 abstentions.*

8. **Mr. Woodroffe** (United Kingdom), speaking on behalf of the European Union, said that Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Liechtenstein, the Republic of Moldova, Romania, Serbia and Montenegro, the former Yugoslav Republic of Macedonia, Turkey and Ukraine aligned themselves with his statement. He regretted that the European Union had been unable to support the draft resolution. It acknowledged that globalization could have positive and negative implications for human rights, but was not convinced that it had an impact on all human rights. Its benefits were unequally shared; globalization did, however, offer a great opportunity for stimulating growth and prosperity in every country and could play a role worldwide in protecting and promoting human rights.

Draft resolution A/C.3/60/L.36: The right to development

9. **Mr. Khane** (Secretary of the Committee) said that, as the funds required for implementation of paragraph 27 of the draft resolution had already been appropriated, no further appropriation would be necessary.

10. **Mr. Palon** (Malaysia), speaking on behalf of the Non-Aligned Movement and China, which were sponsoring the draft resolution, said that, since the draft had been introduced, a number of changes had been made so as to ensure the widest possible support. In the first footnote, the words "and China" should be added at the end of the sentence. After the first preambular paragraph, the following two new paragraphs should be inserted: "*Recalling* the Universal Declaration of Human Rights as well as the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights"; and "*Recalling also* the outcomes of all the major United Nations conferences and summits in the economic and social fields". After the former fourth preambular paragraph, the following paragraph should be added: "*Reaffirming* the universality, indivisibility, interrelatedness, interdependence and mutually reinforcing nature of all civil, cultural, economic, political and social rights, including the right to development"; in the former fifth and sixth preambular paragraphs, the word "*Welcoming*" should in both cases be replaced by "*Recalling*".

11. In paragraph 3, the word "next" should be replaced by "second"; "will examine" should be replaced by "examined"; and "suggest" should be replaced by "suggested".

12. Paragraph 5 should be replaced by the following: "*Notes with appreciation* that the Sub-Commission on the Promotion and Protection of Human Rights has decided at its fifty-seventh session to submit the concept document establishing options and their feasibility for the implementation of the right to development to the Commission on Human Rights at its sixty-second session and in this regard calls on the Commission to give due consideration to the options contained therein and requests the Secretary-General to report on progress in this regard to the General Assembly at its sixty-first session".

13. In paragraph 9, the word "basic" should be replaced by "primary".

14. Paragraph 10 should be replaced by the following: "*Reaffirms* the primary responsibility of States to create national and international conditions favourable to the realization of the right to development as well as their commitment to cooperate with each other to that end".

15. Paragraph 26 should be replaced by the following: "*Emphasizes* the urgent need for taking concrete and effective measures to prevent, combat and criminalize all forms of corruption at all levels, to prevent, detect and deter in a more effective manner international transfers of illicitly acquired assets and to strengthen international cooperation in asset recovery consistent with the principles of the United Nations Convention against Corruption, particularly chapter V, stresses the importance of a genuine political commitment on the part of all Governments through a firm legal framework, and in this context urges States to sign and ratify as soon as possible, and States parties to implement effectively, the United Nations Convention against Corruption".

16. **Ms. Ginsburg** (United States of America) requested a recorded vote on the draft resolution. Her country would vote against it because of its belief that the right to development meant that all individuals should be able to develop their intellectual and other capabilities to the fullest possible extent through the exercise of civil and political rights. The United States objected to the request that the Sub-Commission on the Promotion and Protection of Human Rights should prepare a concept document on a legally binding instrument on the right to development. The references in the draft resolution to the Millennium Development Goals and to the work of the high-level task force were not in line with the 2005 World Summit outcome document.

17. *A recorded vote was taken.*

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Marshall Islands, United States of America.

Abstaining:

Australia, Canada, Israel, Japan, Sweden.

18. *Draft resolution A/C.3/60/L.36, as orally revised, was adopted by 172 votes to 2, with 5 abstentions.*

19. **Ms. Hart** (Canada) said that her Government could not fully support the outcome document of the sixth session of the Working Group on the Right to

Development, owing to certain recommendations and conclusions relating to areas of international trade and development policy that were inconsistent with current discussions in other more appropriate forums. Canada had abstained from voting because it did not make a neutral reference to the conclusions and recommendations of the Working Group but would continue to engage in constructive dialogue with the sponsors with a view to reaching a consensus text in the future.

20. **Mr. Ozawa** (Japan) said that further discussion was needed to reach a consensus on the right to development. Each State was responsible for promoting and protecting the right to development of its own nationals while the international community was responsible for extending cooperation and encouraging ownership. Japan had contributed one fifth of all global official development assistance during the past 10 years and would continue its efforts on the basis of the ownership and partnership concept.

21. **Mr. Woodroffe** (United Kingdom), speaking on behalf of the European Union, said that Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Iceland, Liechtenstein, the Republic of Moldova, Romania, Serbia and Montenegro, the former Yugolsav Republic of Macedonia, Turkey and Ukraine aligned themselves with his statement. He said that the European Union remained firmly committed to the realization of the right to development. It wished to emphasize that it was the primary responsibility of States to create national conditions that were conducive to the fulfilment of the right to development and that those efforts needed to be supported by an enabling international economic environment.

22. The European Union had made a number of proposals to strengthen the text of the draft resolution, but felt that it still contained unnecessary or unbalanced paragraphs. For example, in its view, it was the mainstreaming of all human rights, without differentiation, which should be emphasized; also, the active participation of the individual in the process of development and of the realization of human rights should not be overlooked in resolutions on the right to development.

23. The European Union reiterated its appeal that future texts on the issue should be streamlined and should be more narrowly focused on, and more relevant to, both the Third Committee's human rights agenda and the substantive work on the right to development in Geneva.

Draft resolution A/C.3/60/L.43: Strengthening the role of the United Nations in enhancing the effectiveness of the principle of periodic and genuine elections and the promotion of democratization

24. **The Chairman** said that the draft resolution contained no programme-budget implications and that Benin, Bosnia and Herzegovina, Botswana, Brazil, Burundi, Cambodia, Cape Verde, the Central African Republic, Costa Rica, Ecuador, El Salvador, Fiji, Finland, Georgia, Guatemala, Iceland, India, Indonesia, Iraq, Jordan, Kenya, Lithuania, Mali, Malta, Micronesia (Federated States of), New Zealand, Nigeria, the Republic of Korea, Saint Vincent and the Grenadines, San Marino, Somalia, Swaziland, Thailand, Timor-Leste, Turkey and Ukraine had joined the list of sponsors.

25. **Ms. Zack** (United States of America), speaking on behalf of the sponsors, said that Andorra, Armenia, Australia, Azerbaijan, Bangladesh, Bulgaria, Finland, Liechtenstein, the Marshall Islands, Norway, Palau, Peru, Spain, Sri Lanka and Sweden had joined the list of sponsors. The following revisions had been incorporated into the fifth preambular paragraph. "*Noting* with interest" had been replaced by "*Taking note with interest*" and the phrase "and Commission on Human Rights resolution 2005/32 on democracy and rule of law," had been added to the end of the paragraph.

26. The draft resolution recognized the vital role played by the United Nations in electoral assistance and requested the Organization to continue providing such assistance on a case-by-case basis, in accordance with the evolving needs of requesting countries.

27. **Mr. Amorós Núñez** (Cuba) said that the fifth preambular paragraph of the draft resolution contained a reference to Commission on Human Rights resolutions which sought to promote a single model of democracy. Such resolutions opposed the 1993 Vienna Declaration and undermined the right of peoples to self-determination. Cuba's proposal that reference should be made to Commission on Human Rights resolutions which presented a broader and more balanced view of democracy had been refused. He therefore requested that a separate vote should be taken on that paragraph.

28. *A recorded vote was taken on the fifth preambular paragraph, as orally revised.*

In favour:

Afghanistan, Albania, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Grenada, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Latvia, Lebanon, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Palau, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Solomon Islands, Somalia, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Against:

None.

Abstaining:

Algeria, Angola, Bahrain, Belarus, Burkina Faso, Cameroon, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Egypt, Gambia, Ghana, Iran (Islamic Republic of), Kazakhstan, Libyan Arab Jamahiriya, Malaysia, Namibia, Nepal, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Sudan, Syrian Arab Republic, Uganda, United Arab Emirates, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

29. *The fifth preambular paragraph was retained by 123 to 0, with 35 abstentions.*

30. **Mr. Khane** (Secretary of the Committee) said that, in accordance with rule 129 of the rules of procedure, a vote would be taken on the draft resolution as a whole.

31. **Mr. Elbadri** (Egypt) said that rule 130 should be applied because the motion to delete a paragraph had failed.

32. **Mr. Khane** (Secretary of the Committee) recalled that, whenever a delegation moved to divide a proposal, namely to vote on a particular paragraph or language in a proposal, rule 129 was applied. When a delegation moved to delete a paragraph, namely to make an amendment, it fell under rule 130. Since the representative of Cuba had requested a vote on the fifth preambular paragraph, rule 129 applied.

33. **Mr. Amorós Núñez** (Cuba) said that his delegation supported the Secretary's interpretation of the rules of procedure, but was also willing to accept the interpretation of the representative of Egypt.

34. *A recorded vote was taken on the draft resolution.*

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon,

Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

None.

Abstaining:

Democratic Republic of the Congo, Libyan Arab Jamahiriya, Myanmar.

35. *Draft resolution A/C.3/60/L.43 was adopted by 173 to 0, with 3 abstentions.**

Draft resolution A/C.3/60/L.55: Human rights and cultural diversity

36. **The Chairman** said that the draft resolution contained no programme-budget implications.

37. **Mr. Alaei** (Islamic Republic of Iran), speaking on behalf of the sponsors, said that the Bolivarian Republic of Venezuela had joined the sponsors of the draft resolution. The second preambular paragraph had been revised to include a reference to General Assembly resolution 58/167 of 22 December 2003. In paragraph 15, the phrase "to give full and equal attention" had been replaced by "to continue to bear in mind fully". He also announced the withdrawal of the preambular paragraph which had been added before paragraph 1, reading: "State members acknowledge the importance of fulfilling their obligations to promote universal respect for and observance and protection of all human rights and fundamental freedoms as well as the importance and respect and understanding for religious and cultural diversity."

38. **Mr. Khane** (Secretary of the Committee) announced that Cambodia, the Comoros, Guinea, Jordan, Mali, Qatar and Tunisia had joined the sponsors.

39. *Draft resolution A/C.3/60/L.55, as orally revised, was adopted.*

40. **Ms. Zack** (United States of America) said that her delegation had joined the consensus on the draft resolution on the understanding that the right to enjoy the benefits of scientific progress and its applications, referred to in paragraph 3, should be on mutually agreed terms. That right could be achieved only in conjunction with the right of everyone to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he or she was the author, as reflected in article 27 (2) of the Universal Declaration of Human Rights.

Agenda item 71 (c): Human rights situations and reports of special rapporteurs and representatives (*continued*) (A/C.3/60/L.47)

Draft resolution A/C.3/60/L.47: Situation of human rights in the Sudan

41. **The Chairman** said that the draft resolution contained no programme-budget implications.

42. **Mr. Jones Parry** (United Kingdom), speaking on behalf of the original sponsors as well as Japan and the United States of America, welcomed the significant developments that had taken place in the Sudan in recent months, including the adoption of an interim constitution and the progress made towards the implementation of a comprehensive peace agreement. The cooperative spirit in which the Government of National Unity in the Sudan had welcomed the Special Rapporteur and the Special Adviser was also to be commended.

43. The European Union, including the United Kingdom, attached the greatest importance to

* The representative of the Democratic Republic of the Congo said that his delegation had intended to vote in favour of the draft resolution.

developments in the Sudan, and were doing their utmost to support the efforts of all the parties to make progress in that country. He paid tribute to the way in which all parties had addressed the issues and also to the leadership role provided by the African Union in addressing the situation on the ground.

44. Nevertheless, the European Union continued to have grave concerns about the persistent violation of human rights and humanitarian law in the Sudan, particularly in Darfur. Accordingly, the draft resolution called upon the Government of National Unity in the Sudan and the others parties to the conflict in Darfur to end all human rights violations and the prevailing culture of impunity, and to cooperate fully with the International Criminal Court.

45. It was crucial for the Committee, on behalf of the United Nations, to consider and, where appropriate, to pass comment on urgent human rights violations. In so doing, its aim must always be to encourage Governments to fulfil their obligations and to meet the universal standards for which the Organization stood. In the Sudan, despite the efforts of the African Union, civilians were still being killed, sexual violence was widespread and the situation of hundreds of thousands of displaced persons remained dire.

46. The no-action motion passed in the previous year on the situation of human rights in the Sudan had sent a negative signal about the work of the United Nations to the Government, rebels and victims of that country and to the rest of the world. While the European Union fully recognized the arguments against country-specific resolutions, it also maintained that it was necessary to take a stand when dire situations on the ground required action. First and foremost, the Committee needed to respect the human rights of the victims subjected to violence in the Sudan and should therefore support the draft resolution.

47. **The Chairman** said that Andorra, Iceland, the Republic of Moldova and Switzerland had joined the sponsors.

48. **Mr. Wigwe** (Nigeria), speaking on behalf of the Group of African States, requested that no further action should be taken on the draft resolution and that, under rule 116 of the rules of procedure, the debate on the issue should be adjourned. The African Group did not support initiatives that were likely to endanger peace agreements within the Sudan and the subsequent Abuja Protocols, the result of protracted negotiations. He pointed out that the African Union was seized of the developments towards peace and stability in the Sudan.

49. The new Government of National Unity established under the Comprehensive Peace Agreement had embarked on the implementation of the Agreement. The African Group urged the sponsors of the draft resolution to help the African Union and the people of the Sudan through constructive dialogue and genuine assistance to overcome the many challenges facing them as they moved towards stability and durable peace rather than to submit such divisive resolutions which did nothing to advance the peace process.

50. Such resolutions were capable of setting back current efforts to make the Human Rights Council operational, and raised doubts over the collective determination of the Organization to ensure that the Council would inherit only the best characteristics of the Commission on Human Rights. He called on other Member States to vote in favour of the no-action motion.

51. **Mr. Abdelaziz** (Egypt) said that his Government took a principled position of voting against country-specific draft resolutions on human rights situations regardless of substantive considerations, and supported a no-action motion. The draft resolution overly politicized the human rights situation in the Sudan and reflected selectivity and double standards. Furthermore, it would hamper the African Union's efforts to implement the Comprehensive Peace Agreement in cooperation with the Government of the Sudan, which had yielded positive results. The draft resolution also contradicted the recommendations of the Special Rapporteur on the situation of human rights in the Sudan, who had stressed the need for cooperation rather than confrontation. His delegation therefore encouraged all Member States to vote in favour of the no-motion action.

52. **Ms. Otiti** (Uganda) said that human rights issues should not be politicized. They should be addressed through constructive and non-confrontational dialogue predicated on fairness, objectivity, respect for sovereignty, non-selectivity and transparency. International cooperation was also crucial for sustainable results. Progress could be achieved through helping one another constructively rather than applying methods that did not help to make a difference on the

ground. The culture of generating documents that had no positive impact simply created friction which could otherwise be avoided. Furthermore, at a critical time when the General Assembly was engaged in negotiations to reform the United Nations, and its human rights machinery in particular, the introduction of country-specific resolutions would poison the atmosphere for negotiations. As a matter of principle, Uganda would therefore consistently vote in favour of motions to adjourn debate on country-specific resolutions. If such motions were not carried, it would abstain from voting on the substance of those resolutions.

53. **The Chairman** requested two representatives to speak in favour of, and two against, the motion, before putting it to the vote, in accordance with rule 116.

54. **Mr. Wood** (United Kingdom), speaking on a point of order, said that in accordance with rule 116, in addition to the delegation proposing adjournment of debate, two representatives might speak in favour of, and two against the motion, after which the motion would be immediately put to the vote. As two representatives — of Egypt and Uganda — had already spoken in favour of the motion, the Committee should now move to hear two representatives to speak against it.

55. **The Chairman** said that the Committee had not reached that stage. There was no harm in calling at present for two representatives to speak in favour of, and two against, the motion.

56. **Mr. Xie** Bohua (China) said that his delegation opposed the practice of selectivity and double standards on human rights issues through country-specific resolutions, which increased confrontation and led to greater division among Member States. All countries should promote and protect human rights on the basis of equality and mutual respect and through dialogue and cooperation. No country or group of countries was entitled to style itself as a human rights judge and make irresponsible criticisms about the human rights situations of others. Regrettably, some delegations continued to put forward country-specific human rights resolutions with which the majority of Member States did not agree and which were all directed against developing countries. Such resolutions were a political tool used to name and shame and exert political pressure on States. Such concerns must be addressed if reform of the United Nations human rights machinery were to succeed. His delegation therefore supported the motion.

57. **Ms. García-Matos** (Bolivarian Republic of Venezuela) said that her delegation wished to reiterate its rejection of the policy of censuring States in a selective manner for human rights violations. As it had stated in countless forums, such an approach did not contribute to the promotion and protection of human rights. Furthermore, as a member of the Non-Aligned Movement, her Government firmly opposed politicization, selectivity and double standards in human rights. It was regrettable that, at a time when efforts were being made to reform the United Nations human rights machinery, States continued to be targeted in such a way, which contravened the Charter, including its provisions on sovereignty. Her delegation therefore supported the motion to adjourn debate and called on all delegations to end the practice of using human rights as a political tool to pressure developing countries.

58. **Mr. Wood** (United Kingdom), speaking on behalf of the European Union, said that Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Iceland, Liechtenstein, the Republic of Moldova, Romania, Serbia and Montenegro, the former Yugoslav Republic of Macedonia and Ukraine aligned themselves with his statement. He said that the General Assembly must assume its responsibility to consider all human rights issues that came before it when there was ample evidence of widespread human rights abuses. There were few situations comparable to that in the Sudan where people had been denied their fundamental human rights on such a large scale.

59. Action to address the human rights situation there must not be limited to the Security Council and International Criminal Court. The General Assembly, the universal body of the Organization, should also have the opportunity to consider the situation in its relevant body, on the floor of the Third Committee. The European Union regretted that it did not have the same level of cooperation with the African Union concerning the situation in the Sudan that it had enjoyed in the Commission on Human Rights. It would welcome the same collaborative approach and dialogue within the Committee. His delegation failed to understand why the issue merited consideration by the Commission but not by the universal body of the United Nations.

60. While the draft resolution noted the positive developments in the Sudan, it could not but note the grave daily violations of human rights. Further action was needed to prevent more people from being killed, uprooted from their homes and terrorized and to bring rape and sexual violence to an end.

61. To stifle debate by voting in favour of a no-action motion would be to deny the responsibility of the international community to address human rights violations and to show a disregard for the human rights of the people of the Sudan. Where a culture of impunity prevailed with respect to human rights abuses, it was the responsibility of Member States to take note and take action. His delegation therefore called on members to vote against the motion and to discuss the substance of the important issue at hand regardless of their intention to vote on the draft resolution itself.

62. **Ms. Banks** (New Zealand), speaking also on behalf of Australia and Canada, said that her delegation opposed the motion. The General Assembly must speak out against massive violations of human rights, including in the Sudan. The United Nations had passed an impressive body of international human rights law which embodied the most fundamental standards of humanity. That body of law had no enforcement mechanism, however, other than political pressure. When breached, it contained no means of exerting such pressure other than shame and embarrassment.

63. If the international community could not sponsor resolutions in the General Assembly condemning human rights abuses, there would be no other penalties against Governments which terrorized their populations. Safe in the knowledge that no international spotlight would be cast on them, such Governments would feel no need to hold back when violating human rights and no need to prevent the abuses by those who singled out other races or religions for attack. The international community would be acting in complicity if it sat in silence despite the knowledge that massive violations of human rights were occurring.

64. Her delegation would prefer constructive dialogue. Such dialogue, however, worked for Governments that were genuinely trying to improve the situation of human rights in their countries. It did not work on regimes that were brutalizing their own citizens or allowing others to do so for them.

65. Delegations opposing country-specific resolutions had focused on the issue of human rights from the point of view of Governments and failed to look at it from the point of view of the victims of abuse. She wondered whether women who had been gang-raped as part of systematic attacks would prefer that the Committee remained silent so as not to embarrass their Government.

66. The draft resolution raised very serious questions which the Committee must address. Her delegation would be voting against the no-action motion and hoped all others would do the same.

67. *A recorded vote was taken on the motion to adjourn debate on draft resolution A/C.3/60/L.47.*

In favour:

Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Benin, Bhutan, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Central African Republic, China, Comoros, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Egypt, Eritrea, Ethiopia, Gambia, Ghana, Guinea, Guinea-Bissau, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, South Africa, Sudan, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Togo, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bolivia, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia,

Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Nauru, Netherlands, New Zealand, Nicaragua, Norway, Palau, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu.

Abstaining:

Belize, Brazil, Cape Verde, Colombia, Guyana, Iraq, Kyrgyzstan, Mauritius, Papua New Guinea, Sri Lanka, Suriname, Trinidad and Tobago.

68. *The motion to adjourn debate on draft resolution A/C.3/60/L.47 was adopted by 84 votes to 79, with 12 abstentions.*

The meeting rose at 12.30 p.m.